

Magistrate Judge Mary Alice Theiler

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 WESTERN DISTRICT OF WASHINGTON  
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UNITED STATES DISTRICT COURT FOR THE  
 WESTERN DISTRICT OF WASHINGTON  
 AT SEATTLE

IN THE MATTER OF THE SEARCH OF:

NO. MJ17-473

**SUBJECT ACCOUNTS**

MOTION TO SEAL SEARCH  
 WARRANT AND RELATED  
 MATERIALS

**(FILED UNDER SEAL)**

The United States of America, by and through Brian T. Moran, United States Attorney for the Western District of Washington, and Siddharth Velamoor, Assistant United States Attorney, respectfully requests that these Search Warrants, Application for Search Warrants, Application for Non-Disclosure Orders, Non-Disclosure Orders, and related documents in this matter, including this Motion and its attendant Order, be sealed as set forth below, to protect the ongoing criminal investigation. The United States of America further respectfully requests that notwithstanding the requested sealing order, the Government retain the authority to produce the materials subject to this Court's sealing order as part of its discovery obligations in a criminal case.

Federal courts are empowered to seal documents in appropriate circumstances. *Cf.* Fed. R. Crim. P. 6(e)(4) (sealing of indictments). It is well-settled that federal courts have inherent authority to control papers filed with the court, *United States v. Shryock*, 342 F.3d 948, 983 (9th Cir. 2003), including the power to seal affidavits filed with search warrants in appropriate circumstances. In *Times Mirror Company v. United States*, 873 F.2d 1210

MOTION TO SEAL SEARCH WARRANT - 1  
 USAO#2016R00339

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1 (9th Cir. 1989), the Court recognized that “information disclosed to the magistrate in  
2 support of the warrant request is entitled to the same confidentiality accorded other aspects  
3 of the criminal investigation.” *Id.* at 1214. This inherent power may appropriately be  
4 exercised when disclosure of the affidavit would disclose facts that would interfere with an  
5 ongoing criminal investigation. *United States v. Napier*, 436 F.3d 1133, 1136 (9th Cir.  
6 2006) (noting that a sealed search warrant protects the “government’s interest in  
7 maintaining [the] integrity of ongoing criminal investigations and ensuring the safety of  
8 the informant”).

9 In support of this request, the government states that the public disclosure of any of  
10 these materials at this juncture could jeopardize the government’s ongoing investigation in  
11 this case because the case involves an international investigation of a large-scale Stolen  
12 Identity Refund Fraud (SIRF) scheme involving numerous business targets, thousands of  
13 U.S. citizen taxpayers, and several co-conspirators located throughout the United States  
14 and overseas. The existence of this investigation is not public or known to all of the targets  
15 of the investigation. Thus public disclosure of these materials could cause the targets of the  
16 investigation to destroy evidence, flee prosecution, or intimidate or tamper with witnesses.

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1 Therefore, the United States of America respectfully requests that the documents  
2 in this case be sealed until sealed until the earliest of the following: (a) two weeks  
3 following the unsealing of any charging document in a matter for which the warrants  
4 were issued; (b) two weeks following the closure of the investigation for which the  
5 warrants were issued; or (c) sixteen months following issuance of the warrant, unless the  
6 Court, upon motion of the government for good cause, orders an extension of the Order.

7 DATED this 12th day of March, 2019.

8 Respectfully submitted,  
9 BRIAN T. MORAN  
10 United States Attorney

11 s/ Siddharth Velamoor  
12 SIDDHARTH VELAMOOR  
13 Assistant United States Attorney  
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